

Carpenter, Emily

From: Boyd, Elke <Elke.Boyd@skw-inc.com>
Sent: Tuesday, May 19, 2015 2:00 PM
To: Carpenter, Emily
Subject: Affordability Comments

Emily,

I have one more comment regarding the Affordability determinations. I know that the current effort is due to SRF requirements, but perhaps some of this will spill over into affordability determinations associated with permit renewal in general.

I believe that Affordability determinations with permit renewal should be done for public as well as private facilities. HB 89 included revisions to 644.145 RsMO, requiring consideration of the financial capability of a community. The use of the term "community" seems to imply that the applicability reaches beyond the realm of municipalities and also includes the Webster's Dictionary definition of "any group of people with common interests living in a particular area". The residents of a mobile home park or an independent subdivision would certainly meet this definition of community. The House Bill does not specify an exception for communities congregated on a property held in private ownership. Affordability is not solely dependent on sewer rates, but should also look at other factors, such as socioeconomic status of the residents – not the owner of the land.

I would bet it was not the legislators' intend to later change the Fact Sheet requirement to do an Affordability Analysis from being applicable to "... discharges from ... sewer systems ... or publically-owned utilities" to "... for publically-owned utilities, as the DNR has done in reaction to the final law.

For example, in the case of a mobile home park, the owner may own many trailer courts and be quite wealthy. His tenants, however, may be well below the poverty level. The owner may have paid less than \$50,000 for the site, pay taxes on an appraised value of \$75,000 and may now be looking at WWTP upgrades of about \$500,000 for a system that discharges maybe 5,000 gpd. As a business man, the first consideration will be to close the place down, effectively putting all the tenants out on the street. Now think of this happening statewide at hundreds of similar locations.

I do not believe there should be a free path to pollute, but permit actions should also weigh the benefits of reducing the minor amounts of pollutants from very small dischargers against causing many people to lose their homes.

Thanks again for the opportunity to comment,

Elke

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From: Carpenter, Emily [mailto:emily.carpenter@dnr.mo.gov]
Sent: Friday, May 15, 2015 3:16 PM